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FISCAL IMPACT STATEMENT

LS 6636

BILL NUMBER: HB 1085

NOTE PREPARED: Dec 26, 2005

BILL AMENDED:

SUBJECT: Employee Alcoholic Beverage Permits.

FIRST AUTHOR: Rep. Bischoff

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill prohibits the issuance of an alcoholic beverage employee's permit to an individual with two convictions for operating while intoxicated if: (1) the first conviction occurred less than ten years before the date of the permit application; and (2) the individual completed the sentence for the second conviction less than two years before the permit application.

The bill also provides that if an individual has at least three convictions for operating while intoxicated and the individual completed the sentence for the last conviction more than ten years before the permit application, the individual may apply to the Alcohol and Tobacco Commission (ATC) for a permit, but the Commission may grant or deny the application. This bill provides for the revocation of a permit upon an individual's subsequent conviction for operating while intoxicated.

Effective Date: July 1, 2006.

Explanation of State Expenditures: This bill allows a person that:

(1) has two unrelated convictions for operating while intoxicated (OWI), and at least one of those convictions was more than 10 years before applying; or,
(2) has completed a sentence for a conviction for OWI more than two years before applying;
to be granted an alcoholic beverage employee's permit. The bill also allows the ATC the discretion to grant or deny an application by a person with 3 unrelated OWI convictions if the applicant completed the sentence for the most recent conviction more than 10 years before the application.

The number of people who would become eligible for a permit as a result of this bill is indeterminable. There

is a biennial fee of \$30 for an employee's permit. Revenue from this fee is deposited in the Excise Police Retirement Fund to pay benefits and administrative costs. Surplus revenue goes to the Enforcement and Administration Fund for ATC administrative costs. In FY 2005 the total revenue from employee's permit fees was \$1,686,380.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Alcohol and Tobacco Commission.

Local Agencies Affected:

Information Sources: *Indiana Handbook of Taxes, Revenues, and Appropriations.*

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